

**WORKMAN
NYDEGGER**

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

1000 EAGLE GATE TOWER

60 EAST SOUTH TEMPLE

SALT LAKE CITY, UTAH 84111

TELEPHONE (801) 533-9800

FACSIMILE (801) 328-1707

RICK D. NYDEGGER
BRENT P. LORIMER
THOMAS R. VUKSINICK
LARRY R. LAYCOCK
JONATHAN W. RICHARDS
DAVID R. WRIGHT
JOHN C. STRINGHAM
JOHN M. GUYNN
CHARLES L. ROBERTS
DANA L. TANGREN
ERIC L. MASCHOFF
CHARLES J. VEVERKA
ROBYN L. PHILLIPS
RICHARD C. GILMORE†
STERLING A. BRENNAN†
GREGORY M. TAYLOR
DAVID B. DELLENBACH
R. BURNS ISRAELSEN
DAVID R. TODD
L. DAVID GRIFFIN
ADRIAN J. LEE
FRASER D. ROY
CARL T. REED

R. PARRISH FREEMAN, JR.
PETER F. MALEN, JR.
L. REX SEARS, Ph.D.
ERIC M. KAMERATH
ROBERT E. AYCOCK
JENS C. JENKINS
KEVIN W. STINGER
WILLIAM J. ATHAY
MICHAEL B. DODD
WILLIAM R. RICHTER
RYAN D. BENSON
SARA D. JONES
TIGER KELLER
JANNA L. JENSEN
MATTHEW D. TODD
J. LAVAR OLDHAM
MICHAEL J. FRODSHAM
JOSEPH L. KRUPA
BRETT A. HANSEN
BRETT I. JOHNSON
MATTHEW A. BARLOW

† ADMITTED ONLY IN CALIFORNIA

PATENTS
TRADEMARKS
COPYRIGHTS
TRADE SECRETS
UNFAIR COMPETITION
LICENSING
COMPLEX LITIGATION

MAILING ADDRESS:

P.O. BOX 45862

SALT LAKE CITY, UT 84145

INTERNET

HOME PAGE: <http://www.wnpatent.com>

GENERAL E-MAIL: info@wnpatent.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

22386 U.S. PTO
10/675391
093003

TRANSMITTAL FOR PATENT APPLICATION

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a United States patent application entitled OPTICAL MODULE AND OPTICAL SWITCH CONSTITUTING THE SAME in the name of the following inventors: Shinji Mino, Takeshi Kitagawa, Motohaya Ishii, Takashi Yamada, Akira Himeno, Masayuki Okuno, Shunichi Souma, and Takashi Goh.

Enclosed are the following:

- X A specification, claims, abstract, and cover page in total comprising seventy-three (73) pages.
- X Twenty-three (23) sheets of drawings.
- X A joint signature Combined Declaration and Power of Attorney.
- X An Assignment conveying the invention to Nippon Telegraph and Telephone Corporation, including a Form PTO 1595 recordation cover sheet.
- A Declaration Claiming Small Entity Status pursuant to 37 C.F.R. § 1.9 and § 1.27.

____ The present application claims entitlement to Small Entity Status under 37 CFR §§ 1.9 and 1.27

____ Enclosed is a non-publication request requesting that the present application not be published.

X A Certificate of Mailing by "Express Mail" certifying a filing date by use of Express Mail Label No. EL 981 993 992 US.

X Priority to Japanese Application Serial Nos. 2002-323044, filed on November 6, 2002 and 2002-341334, filed on November 25, 2002 is claimed under 35 U.S.C. § 119.

X A certified copy of Japanese application Serial Nos. 2002-323044 and 2002-341334 is enclosed.

____ An Associate Power of Attorney.

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$385		\$750
TOT. CLAIMS	36 - 20=	16	X 9=		X 18=	288
IND. CLAIMS	4 - 3=	1	X 43		X 84=	84
MULTIPLE DEPENDENT CLAIM			+140=		+280=	
			TOTAL		TOTAL	1122

X Form PTO-2038 submitting Credit Card Payment in the amount of \$1,162.00 is enclosed to cover:

X The \$1,122.00 government filing fee.

X The \$40.00 recordation fee of the enclosed assignment.

____ Please debit Deposit Account No. 23-3178 in the amount of \$_____ for the government filing fee.

____ Please debit Deposit Account No. 23-3178 in the amount of \$40.00 for recordation of the enclosed Assignment.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

X Any additional filing fees required under 37 C.F.R. § 1.16.

X Any patent application processing fees under 37 C.F.R. § 1.17.

X The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

X Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. § 1.17.

— The issue fee set forth in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b).

X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 30th day of September 2003.

Respectfully submitted,



DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246

022913

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

DLT:dfw

W:\14321\58\DFW0000008199V001.doc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

"Express Mail" Mailing Label No.: EL 981 993 992 US

Date of Deposit: September 30, 2003

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

- Transmittal Letter (3 pages) (in duplicate)
- Patent Application in the names of Shinji Mino, Takeshi Kitagawa, Motohaya Ishii, Takashi Yamada, Akira Himeno, Masayuki Okuno, Shunichi Souma, and Takashi Goh for OPTICAL MODULE AND OPTICAL SWITCH CONSTITUTING THE SAME (73 pages)
- Drawings (23 sheets)
- Assignment with Form PTO-1595 cover sheet (5 pages)
- Combined Declaration and Power of Attorney (4 pages)
- Certified copy of Japanese Application Nos. 2002-323044 and 2002-341334
- Form PTO-2038 submitting Credit Card Payment in the amount of \$1,162.00
- Postcard

Dated this 30th day of September 2003.

Respectfully submitted,



DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246

WORKMAN NYDEGGER
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800